

AMENDED IN ASSEMBLY MAY 4, 2016

AMENDED IN ASSEMBLY APRIL 25, 2016

AMENDED IN ASSEMBLY APRIL 4, 2016

AMENDED IN ASSEMBLY MARCH 17, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

## **ASSEMBLY BILL**

**No. 2320**

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**Introduced by Assembly Members Calderon and Low**

February 18, 2016

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An act to amend Sections 273.6, 402, 646.9, and 4573.5 of, and to add Section 290.97 to, the Penal Code, relating to unmanned aircraft systems.

### LEGISLATIVE COUNSEL'S DIGEST

AB 2320, as amended, Calderon. Unmanned aircraft systems.

(1) Existing federal law, the Federal Aviation Administration Modernization and Reform Act of 2012, provides for the integration of civil and public unmanned aircraft systems, commonly known as drones, into the national airspace system.

Existing state law generally authorizes a court to issue an order for the protection of certain persons, including, among others, the victims of domestic violence, elder and dependent adult abuse, workplace violence, and civil harassment. Under existing law, an intentional and knowing violation of those types of protective orders is a misdemeanor. If the violation results in physical injury, or occurs within specified time periods of a previous violation, existing law imposes additional penalties. Existing law also makes the crime of stalking another person, as defined, punishable as a misdemeanor or felony. Existing law makes

it a felony to commit that offense when there is a temporary restraining order, injunction, or any other court order in effect prohibiting the behavior.

This bill would specifically prohibit a person who is prohibited from coming within a specified distance of another person, from operating an unmanned aircraft system in a way that causes an unmanned aircraft, as those terms are defined, to fly within the prohibited distance of the other person or from capturing images of the other person by using an unmanned aircraft system. By creating a new crime, the bill would impose a state-mandated local program.

(2) Existing law requires a person who has been convicted of specified sex offenses to register with local law enforcement authorities as a sex offender.

This bill would ~~prohibit~~ *specifically authorize a judge to order* a person required to register pursuant to those provisions for an offense committed on or after January 1, 2017, from operating an unmanned aircraft system. ~~system if the judge finds that restriction is in the public interest.~~ Because a violation of that provision would be a crime, the bill would impose a state-mandated local program.

(3) Existing law provides that every person who goes to the scene of an emergency or stops at the scene of an emergency for the purpose of viewing the scene or the activities of police officers, firefighters, emergency medical or other emergency personnel, or military personnel coping with the emergency in the course of their duties during the time it is necessary for emergency vehicles or those personnel to be at the scene of the emergency or to be moving to or from the scene of the emergency for the purpose of protecting lives or property, unless it is part of the duties of that person's employment to view that scene or activities, and thereby impedes police officers, firefighters, emergency medical or other emergency personnel, or military personnel in the performance of their duties in coping with the emergency, is guilty of a misdemeanor.

This bill would include, for purposes of these provisions, the operation or use of an unmanned aircraft system in the definition of a person. By expanding the scope of a crime, this bill would impose a state-mandated local program.

(4) Existing law makes a person who willfully, maliciously, and repeatedly follows or willfully and maliciously harasses another person and who makes a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her immediate

family, guilty of the crime of stalking, punishable as a misdemeanor or a felony.

This bill would specifically include, for purposes of these provisions, the operation or use of an unmanned aircraft system in the definition of a person.

(5) Existing law makes a person who knowingly brings into certain correctional facilities or certain other places where prisoners or inmates of those facilities are located, any alcoholic beverage, any drugs, other than controlled substances, in any manner, shape, form, dispenser, or container, or any device, contrivance, instrument, or paraphernalia intended to be used for unlawfully injecting or consuming any drug other than controlled substances, without having authority so to do by the rules of the correctional facility, guilty of a felony.

This bill would specifically include, for purposes of these provisions, the operation or use of an unmanned aircraft system in the definition of a person.

(6) The bill would make related legislative findings and declarations and would include a statement of legislative intent.

(7) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1     SECTION 1. (a) The Legislature finds and declares all of the  
2 following:

3     (1) The Federal Aviation Act of 1958 established the Federal  
4 Aviation Administration (FAA) and made the FAA responsible  
5 for the control and use of navigable airspace within the United  
6 States.

7     (2) The FAA regulates unmanned aircraft systems, also known  
8 as drones.

9     (3) Public entities, including law enforcement agencies,  
10 firefighter units, border and port patrols, disaster relief workers,  
11 search and rescue personnel, qualifying public universities, military  
12 training facilities, and other government operational mission units,

1 may operate unmanned aircraft systems by applying for a  
2 Certificate of Waiver or Authorization from the FAA.

3 (4) The FAA is in the process of developing rules that are  
4 intended to safely integrate small unmanned aircraft systems into  
5 the national airspace system and that, following issuance of a notice  
6 of proposed rulemaking and public comment period, are expected  
7 to be released in 2016 or 2017.

8 (5) The small unmanned aircraft system rules are anticipated to  
9 be similar to the current hobbyist rules for operations of model  
10 unmanned aircraft systems that limit the area of operation to  
11 low-risk and controlled environments and the size of the system  
12 to less than 55 pounds.

13 (6) While the FAA is developing the small unmanned aircraft  
14 system rules, private commercial entities on a  
15 company-by-company basis may apply to the FAA for a Section  
16 333 exemption from the current rules for manned aircraft by  
17 showing that the entity operates with at least an equivalent level  
18 of safety. The FAA has granted over 1,900 Section 333 exemptions  
19 to date for the commercial operation of unmanned aircraft systems  
20 in the photography, film, utilities, energy, infrastructure, real estate,  
21 agricultural, and construction industries.

22 (7) In addition to being used in military training and operations  
23 and public safety areas, unmanned aircraft systems may be used  
24 in a wide variety of activities, including oil and natural gas pipeline  
25 inspection, transportation, natural disaster aid, search and rescue,  
26 precision agriculture, natural resource and environmental  
27 protection, bridge and infrastructure inspection, public utility  
28 support, construction and building inspection, surveying, golf  
29 course marketing, wind turbine inspection, realtor marketing  
30 photography, and prison monitoring.

31 (8) While the public has expressed concerns with the operation  
32 of unmanned aircraft systems, including privacy and safety issues,  
33 there are benefits that may be realized by the state, including the  
34 state's various industry sectors, from conducting research on  
35 unmanned aircraft systems in the state and developing,  
36 manufacturing, and operating unmanned aircraft systems in the  
37 state.

38 (9) The FAA has warned that a "patchwork quilt" of inconsistent  
39 regulation raises substantial safety concerns, impedes innovation,

1 and makes it virtually impossible for end-users to understand the  
2 rules for operating unmanned aircraft systems.

3 (b) (1) It is the intent of the Legislature that a person be  
4 prohibited from, without the owner or business operator's written  
5 consent, operating or using an unmanned aircraft system to  
6 knowingly and intentionally fly within 250 feet of the perimeter  
7 of any critical infrastructure facility for the purpose of conducting  
8 surveillance of the facility, gathering evidence or collecting  
9 information about the facility, or photographically or electronically  
10 recording critical infrastructure data.

11 (2) For purposes of this subdivision, "critical infrastructure  
12 facility" means an airport, an electrical power generation system,  
13 a petroleum refinery, a manufacturing facility that utilizes any  
14 combustible chemicals either in storage or in the process of  
15 manufacturing, a chemical or rubber manufacturing facility, or a  
16 petroleum or chemical storage facility.

17 SEC. 2. Section 273.6 of the Penal Code is amended to read:

18 273.6. (a) Any intentional and knowing violation of a  
19 protective order, as defined in Section 6218 of the Family Code,  
20 or of an order issued pursuant to Section 527.6, 527.8, or 527.85  
21 of the Code of Civil Procedure, or Section 15657.03 of the Welfare  
22 and Institutions Code, is a misdemeanor punishable by a fine of  
23 not more than one thousand dollars (\$1,000), or by imprisonment  
24 in a county jail for not more than one year, or by both that fine and  
25 imprisonment.

26 (b) A violation of subdivision (a) that results in physical injury,  
27 shall be punished by a fine of not more than two thousand dollars  
28 (\$2,000), or by imprisonment in a county jail for not less than 30  
29 days nor more than one year, or by both that fine and imprisonment.  
30 However, if the person is imprisoned in a county jail for at least  
31 48 hours, the court may, in the interest of justice and for reasons  
32 stated on the record, reduce or eliminate the 30-day minimum  
33 imprisonment required by this subdivision. In determining whether  
34 to reduce or eliminate the minimum imprisonment pursuant to this  
35 subdivision, the court shall consider the seriousness of the facts  
36 before the court, whether there are additional allegations of a  
37 violation of the order during the pendency of the case before the  
38 court, the probability of future violations, the safety of the victim,  
39 and whether the defendant has successfully completed or is making  
40 progress with counseling.

(c) Subdivisions (a) and (b) shall apply to the following court orders:

(1) Any order issued pursuant to Section 6320 or 6389 of the Family Code.

(2) An order excluding one party from the family dwelling or from the dwelling of the other.

(3) An order enjoining a party from specified behavior that the court determined was necessary to effectuate the order described in subdivision (a).

(4) Any order issued by another state that is recognized under Part 5 (commencing with Section 6400) of Division 10 of the Family Code.

(d) A subsequent conviction for a violation of an order described in subdivision (a), occurring within seven years of a prior conviction for a violation of an order described in subdivision (a) and involving an act of violence or “a credible threat” of violence, as defined in subdivision (c) of Section 139, is punishable by imprisonment in a county jail not to exceed one year, or pursuant to subdivision (h) of Section 1170.

(e) A subsequent conviction for a violation of an order described in subdivision (a) for an act occurring within one year of a prior conviction for a violation of an order described in subdivision (a) that results in physical injury to a victim, shall be punished by a fine of not more than two thousand dollars (\$2,000), or by imprisonment in a county jail for not less than six months nor more than one year, by both that fine and imprisonment, or by imprisonment pursuant to subdivision (h) of Section 1170. However, if the person is imprisoned in a county jail for at least 30 days, the court may, in the interest of justice and for reasons stated in the record, reduce or eliminate the six-month minimum imprisonment required by this subdivision. In determining whether to reduce or eliminate the minimum imprisonment pursuant to this subdivision, the court shall consider the seriousness of the facts before the court, whether there are additional allegations of a violation of the order during the pendency of the case before the court, the probability of future violations, the safety of the victim, and whether the defendant has successfully completed or is making progress with counseling.

1 (f) The prosecuting agency of each county shall have the primary  
2 responsibility for the enforcement of orders described in  
3 subdivisions (a), (b), (d), and (e).

4 (g) (1) A person who owns, possesses, purchases, or receives  
5 a firearm knowing he or she is prohibited from doing so by the  
6 provisions of a protective order as defined in Section 136.2 of this  
7 code, Section 6218 of the Family Code, or Section 527.6, 527.8,  
8 or 527.85 of the Code of Civil Procedure, or Section 15657.03 of  
9 the Welfare and Institutions Code, shall be punished under Section  
10 29825.

11 (2) A person subject to a protective order described in paragraph  
12 (1) shall not be prosecuted under this section for owning,  
13 possessing, purchasing, or receiving a firearm to the extent that  
14 firearm is granted an exemption pursuant to subdivision (f) of  
15 Section 527.9 of the Code of Civil Procedure, or subdivision (h)  
16 of Section 6389 of the Family Code.

17 (h) If probation is granted upon conviction of a violation of  
18 subdivision (a), (b), (c), (d), or (e), the court shall impose probation  
19 consistent with Section 1203.097, and the conditions of probation  
20 may include, in lieu of a fine, one or both of the following  
21 requirements:

22 (1) That the defendant make payments to a battered women's  
23 shelter or to a shelter for abused elder persons or dependent adults,  
24 up to a maximum of five thousand dollars (\$5,000), pursuant to  
25 Section 1203.097.

26 (2) That the defendant reimburse the victim for reasonable costs  
27 of counseling and other reasonable expenses that the court finds  
28 are the direct result of the defendant's offense.

29 (i) For any order to pay a fine, make payments to a battered  
30 women's shelter, or pay restitution as a condition of probation  
31 under subdivision (e), the court shall make a determination of the  
32 defendant's ability to pay. An order to make payments to a battered  
33 women's shelter shall not be made if it would impair the ability  
34 of the defendant to pay direct restitution to the victim or  
35 court-ordered child support. If the injury to a married person is  
36 caused in whole or in part by the criminal acts of his or her spouse  
37 in violation of this section, the community property may not be  
38 used to discharge the liability of the offending spouse for restitution  
39 to the injured spouse, required by Section 1203.04, as operative  
40 on or before August 2, 1995, or Section 1202.4, or to a shelter for

1 costs with regard to the injured spouse and dependents, required  
2 by this section, until all separate property of the offending spouse  
3 is exhausted.

4 (j) (1) This subdivision applies to a person who is both of the  
5 following:

6 (A) The person is subject to a protective order, as defined in  
7 Section 6218 of the Family Code, or a protective order issued  
8 pursuant to this code, Section 527.6, 527.8, or 527.85 of the Code  
9 of Civil Procedure, or Section 15657.03 of the Welfare and  
10 Institutions Code.

11 (B) The person is prohibited by the protective order described  
12 in subparagraph (A) from coming within a specified distance of  
13 another person.

14 (2) A person described in paragraph (1) shall not do either of  
15 the following:

16 (A) Operate an unmanned aircraft system in a way that causes  
17 an unmanned aircraft to fly within the prohibited distance of the  
18 other person.

19 (B) Capture images of the other person by using an unmanned  
20 aircraft system.

21 (3) A violation of paragraph (2) is a violation of the protective  
22 order.

23 (4) For the purposes of this subdivision, the following definitions  
24 apply:

25 (A) “Unmanned aircraft” means an aircraft that is operated  
26 without the possibility of direct human intervention from within  
27 or on the aircraft.

28 (B) “Unmanned aircraft system” means an unmanned aircraft  
29 and associated elements, including, but not limited to,  
30 communication links and the components that control the  
31 unmanned aircraft that are required for the pilot in command to  
32 operate safely and efficiently in the national airspace system.

33 SEC. 3. Section 290.97 is added to the Penal Code, to read:

34 290.97. (a) *A judge may order a person required to register*  
35 *pursuant to this chapter for an offense committed on or after*  
36 *January 1, 2017, shall not operate an unmanned aircraft system.*  
37 *system if the judge finds that restriction is in the public interest.*

38 (b) For purposes of this section, both of the following definitions  
39 apply:



1 (1) “Unmanned aircraft” means an aircraft that is operated  
2 without the possibility of direct human intervention from within  
3 or on the aircraft.

4 (2) “Unmanned aircraft system” means an unmanned aircraft  
5 and associated elements, including, but not limited to,  
6 communication links and the components that control the  
7 unmanned aircraft that are required for the pilot in command to  
8 operate safely and efficiently in the national airspace system.

9 SEC. 4. Section 402 of the Penal Code is amended to read:

10 402. (a) (1) A person who goes to the scene of an emergency,  
11 or stops at the scene of an emergency, for the purpose of viewing  
12 the scene or the activities of police officers, firefighters, emergency  
13 medical, or other emergency personnel, or military personnel  
14 coping with the emergency in the course of their duties during the  
15 time it is necessary for emergency vehicles or those personnel to  
16 be at the scene of the emergency or to be moving to or from the  
17 scene of the emergency for the purpose of protecting lives or  
18 property, unless it is part of the duties of that person’s employment  
19 to view that scene or activities, and thereby impedes police officers,  
20 firefighters, emergency medical, or other emergency personnel or  
21 military personnel, in the performance of their duties in coping  
22 with the emergency, is guilty of a misdemeanor.

23 (2) For purposes of this subdivision, a person includes a person  
24 who operates or uses an unmanned aircraft system. For purposes  
25 of this paragraph, both of the following definitions apply:

26 (A) “Unmanned aircraft” means an aircraft that is operated  
27 without the possibility of direct human intervention from within  
28 or on the aircraft.

29 (B) “Unmanned aircraft system” means an unmanned aircraft  
30 and associated elements, including, but not limited to,  
31 communication links and the components that control the  
32 unmanned aircraft that are required for the pilot in command to  
33 operate safely and efficiently in the national airspace system.

34 (b) A person who knowingly resists or interferes with the lawful  
35 efforts of a lifeguard in the discharge or attempted discharge of an  
36 official duty in an emergency situation, when the person knows  
37 or reasonably should know that the lifeguard is engaged in the  
38 performance of his or her official duty, is guilty of a misdemeanor.

39 (c) For the purposes of this section, an emergency includes a  
40 condition or situation involving injury to persons, damage to

1 property, or peril to the safety of persons or property, which results  
2 from a fire, an explosion, an airplane crash, flooding, windstorm  
3 damage, a railroad accident, a traffic accident, a power plant  
4 accident, a toxic chemical or biological spill, or any other natural  
5 or human-caused event.

6 SEC. 5. Section 646.9 of the Penal Code is amended to read:

7 646.9. (a) (1) A person who willfully, maliciously, and  
8 repeatedly follows or willfully and maliciously harasses another  
9 person and who makes a credible threat with the intent to place  
10 that person in reasonable fear for his or her safety, or the safety of  
11 his or her immediate family is guilty of the crime of stalking,  
12 punishable by imprisonment in a county jail for not more than one  
13 year, or by a fine of not more than one thousand dollars (\$1,000),  
14 or by both that fine and imprisonment, or by imprisonment in the  
15 state prison.

16 (2) For purposes of this subdivision, a person includes a person  
17 who operates or uses an unmanned aircraft system. For purposes  
18 of this paragraph, both of the following definitions apply:

19 (A) "Unmanned aircraft" means an aircraft that is operated  
20 without the possibility of direct human intervention from within  
21 or on the aircraft.

22 (B) "Unmanned aircraft system" means an unmanned aircraft  
23 and associated elements, including, but not limited to,  
24 communication links and the components that control the  
25 unmanned aircraft that are required for the pilot in command to  
26 operate safely and efficiently in the national airspace system.

27 (b) Any person who violates subdivision (a) when there is a  
28 temporary restraining order, injunction, or any other court order  
29 in effect prohibiting the behavior described in subdivision (a)  
30 against the same party, shall be punished by imprisonment in the  
31 state prison for two, three, or four years.

32 (c) (1) Every person who, after having been convicted of a  
33 felony under Section 273.5, 273.6, or 422, commits a violation of  
34 subdivision (a) shall be punished by imprisonment in a county jail  
35 for not more than one year, or by a fine of not more than one  
36 thousand dollars (\$1,000), or by both that fine and imprisonment,  
37 or by imprisonment in the state prison for two, three, or five years.

38 (2) Every person who, after having been convicted of a felony  
39 under subdivision (a), commits a violation of this section shall be

1 punished by imprisonment in the state prison for two, three, or  
2 five years.

3 (d) In addition to the penalties provided in this section, the  
4 sentencing court may order a person convicted of a felony under  
5 this section to register as a sex offender pursuant to Section  
6 290.006.

7 (e) For the purposes of this section, “harasses” means engages  
8 in a knowing and willful course of conduct directed at a specific  
9 person that seriously alarms, annoys, torments, or terrorizes the  
10 person, and that serves no legitimate purpose.

11 (f) For the purposes of this section, “course of conduct” means  
12 two or more acts occurring over a period of time, however short,  
13 evidencing a continuity of purpose. Constitutionally protected  
14 activity is not included within the meaning of “course of conduct.”

15 (g) For the purposes of this section, “credible threat” means a  
16 verbal or written threat, including that performed through the use  
17 of an electronic communication device, or a threat implied by a  
18 pattern of conduct or a combination of verbal, written, or  
19 electronically communicated statements and conduct, made with  
20 the intent to place the person that is the target of the threat in  
21 reasonable fear for his or her safety or the safety of his or her  
22 family, and made with the apparent ability to carry out the threat  
23 so as to cause the person who is the target of the threat to  
24 reasonably fear for his or her safety or the safety of his or her  
25 family. It is not necessary to prove that the defendant had the intent  
26 to actually carry out the threat. The present incarceration of a  
27 person making the threat shall not be a bar to prosecution under  
28 this section. Constitutionally protected activity is not included  
29 within the meaning of “credible threat.”

30 (h) For purposes of this section, the term “electronic  
31 communication device” includes, but is not limited to, telephones,  
32 cellular phones, computers, video recorders, fax machines, or  
33 pagers. “Electronic communication” has the same meaning as the  
34 term defined in Subsection 12 of Section 2510 of Title 18 of the  
35 United States Code.

36 (i) This section shall not apply to conduct that occurs during  
37 labor picketing.

38 (j) If probation is granted, or the execution or imposition of a  
39 sentence is suspended, for any person convicted under this section,  
40 it shall be a condition of probation that the person participate in

1 counseling, as designated by the court. However, the court, upon  
2 a showing of good cause, may find that the counseling requirement  
3 shall not be imposed.

4 (k) (1) The sentencing court also shall consider issuing an order  
5 restraining the defendant from any contact with the victim, that  
6 may be valid for up to 10 years, as determined by the court. It is  
7 the intent of the Legislature that the length of any restraining order  
8 be based upon the seriousness of the facts before the court, the  
9 probability of future violations, and the safety of the victim and  
10 his or her immediate family.

11 (2) This protective order may be issued by the court whether  
12 the defendant is sentenced to state prison, county jail, or if  
13 imposition of sentence is suspended and the defendant is placed  
14 on probation.

15 (l) For purposes of this section, “immediate family” means any  
16 spouse, parent, child, any person related by consanguinity or  
17 affinity within the second degree, or any other person who regularly  
18 resides in the household, or who, within the prior six months,  
19 regularly resided in the household.

20 (m) The court shall consider whether the defendant would  
21 benefit from treatment pursuant to Section 2684. If it is determined  
22 to be appropriate, the court shall recommend that the Department  
23 of Corrections and Rehabilitation make a certification as provided  
24 in Section 2684. Upon the certification, the defendant shall be  
25 evaluated and transferred to the appropriate hospital for treatment  
26 pursuant to Section 2684.

27 SEC. 6. Section 4573.5 of the Penal Code is amended to read:

28 4573.5. (a) (1) A person who knowingly brings into any state  
29 prison or other institution under the jurisdiction of the Department  
30 of Corrections, or into any prison camp, prison farm, or any other  
31 place where prisoners or inmates of these institutions are located  
32 under the custody of prison or institution officials, officers, or  
33 employees, or into any county, city and county, or city jail, road  
34 camp, farm or any other institution or place where prisoners or  
35 inmates are being held under the custody of any sheriff, chief of  
36 police, peace officer, probation officer, or employees, or within  
37 the grounds belonging to any institution or place, any alcoholic  
38 beverage, any drugs, other than controlled substances, in any  
39 manner, shape, form, dispenser, or container, or any device,  
40 contrivance, instrument, or paraphernalia intended to be used for

1 unlawfully injecting or consuming any drug other than controlled  
2 substances, without having authority so to do by the rules of the  
3 Department of Corrections, the rules of the prison, institution,  
4 camp, farm, place, or jail, or by the specific authorization of the  
5 warden, superintendent, jailer, or other person in charge of the  
6 prison, jail, institution, camp, farm, or place, is guilty of a felony.

7 (2) For purposes of this subdivision, a person includes a person  
8 who operates or uses an unmanned aircraft system. For purposes  
9 of this paragraph, both of the following definitions apply:

10 (A) “Unmanned aircraft” means an aircraft that is operated  
11 without the possibility of direct human intervention from within  
12 or on the aircraft.

13 (B) “Unmanned aircraft system” means an unmanned aircraft  
14 and associated elements, including, but not limited to,  
15 communication links and the components that control the  
16 unmanned aircraft that are required for the pilot in command to  
17 operate safely and efficiently in the national airspace system.

18 (b) The prohibitions and sanctions addressed in this section shall  
19 be clearly and prominently posted outside of, and at the entrance  
20 to, the grounds of all detention facilities under the jurisdiction of,  
21 or operated by, the state or any city, county, or city and county.

22 SEC. 7. No reimbursement is required by this act pursuant to  
23 Section 6 of Article XIII B of the California Constitution because  
24 the only costs that may be incurred by a local agency or school  
25 district will be incurred because this act creates a new crime or  
26 infraction, eliminates a crime or infraction, or changes the penalty  
27 for a crime or infraction, within the meaning of Section 17556 of  
28 the Government Code, or changes the definition of a crime within  
29 the meaning of Section 6 of Article XIII B of the California  
30 Constitution.